

THE APRIL 20, 2006 SESSION  
OF THE  
WALWORTH COUNTY BOARD OF SUPERVISORS  
AMENDED

The Walworth County Board of Supervisors meeting was called to order by Chairperson Lohrmann at 6:00 p.m. in the County Board Room at the Walworth County Government Center, 100 W. Walworth Street, Elkhorn, Wisconsin.

Joe Reynders, Lay Speaker, Spring Prairie Methodist Church, Burlington delivered the invocation.

**Roll Call**

Roll call was read and all Supervisors were present except Supervisor Grant.

**Withdrawals From Agenda, if any**

There were none.

**Amendments and Approval of the Agenda**

On motion by Supervisor Schaefer, seconded by Supervisor Polyock, the agenda was approved as amended by moving Item 2 under Unfinished Business to be considered as Item 1 under Unfinished Business.

**Approval of the Minutes**

On motion by Supervisor Muzatko, seconded by Supervisor Downing, the minutes of the March 14, 2006 Walworth County Board Meeting were approved.

**Comment Period by Members of the Public**

Ken Micheloni, N8457 Hwy 12W, Elkhorn, said he would like to save the old 1890 hospital and see the building remodeled for homeless people. Mr. Micheloni also suggested that the old nursing home be used for housing for young people who get married and can't afford a house. He said that if any of the Supervisors would like to talk to him about his ideas they could call him at 262-495-2795.

**Appointments**

There were none.

**Communications and Matters to Be Referred**

1. Claims Received After the Agenda Mailing – Notice of Circumstances of Claim of Billy D. Perry, Lasker Law Offices, LLC File No. 4082 was referred to the Executive Committee.
2. Claims – There were no other claims.
3. Communication from County Board Supervisor Rick Stacey regarding infestation of termites in mulch from trees from New Orleans was referred to the Agriculture & Extension Education Committee and Public Works Committee.

4. Communication from County Board Supervisor Rick Stacey regarding County Zoning and Pre-Existing Uses was referred to the County Zoning Agency.
5. Communication from Attorney Robert Leibsle requesting an amendment to Section 74-86 to allow an illuminated off-premises sign in more instances than currently are allowed was referred to the County Zoning Agency.
6. Kewaunee County Resolution No. 41-2-06 in opposition of 2005 Assembly Bill 756 and any other legislation that would shift Sheriff's Department patrol and investigative costs to small municipalities was referred to the Executive Committee.
7. Communication from NACo regarding annual conference registration information was referred to the Executive Committee.
8. Correspondence from Wisconsin County Mutual Insurance Corporation was referred to the Finance Committee.
9. Waushara County Resolution 09-03-06 supporting Assembly Bill 857 relating to final offer limits under the Municipal Employment Relations Act and Langlade County Resolution # 38-2006 supporting Assembly Bill 857 relating to final offer limits under the Municipal Employment Relations Act was referred to the Human Resources Committee.
10. Communication from Sarah Cruse Morton Schuster, Founder and Secretary, Friends of Big Foot Beach State Park and Owner, Clear Water Outdoor was referred to the Park Committee.
11. Communication from County Board Supervisor Nancy Russell regarding Impact Fees for Parkland Acquisition was referred to the Park Committee.
12. Communication from Richard L. Busch, Director, Construction Business Group regarding counties competing against the private contractor on public construction projects was referred to the Public Works Committee.
13. Communication from Ginny Hall regarding Wisconsin's Scenic Byways Program was referred to the Public Works Committee.
14. Communication from Gerald Pelishek regarding the upcoming Darien Highway 14 drainage project was referred to the Public Works Committee.
15. Report of the County Clerk Concerning Communications Received by the Board and Recommended to be Placed on File. This list was included in the agenda packet.
16. Report of the County Clerk Concerning Communications Received by the Board After the Agenda Mailing – Clerk Bushey read the list, which was placed on Supervisors' desks and follows:
  - Claim Received After the Agenda Mailing – Notice of Circumstances of Claim of Billy D. Perry Lasker Law Offices, LLC File No. 4082 was referred to the Executive Committee.
  - Langlade County Resolution # 64-2006 – Oppose Assembly Substitute Amendment to Senate Bill 1 (2005) requiring a Statement of Economic Interests to be filed by candidates for local public offices was referred to the Executive Committee.
  - Letter from State Representative Terri McCormick, 56<sup>th</sup> Assembly District, forwarded by the Wisconsin Counties Association, asking for help to oppose any additional changes to Senate Bill 1 that would water it down or cause it to lose support and fail to pass was referred to the Executive Committee.
  - Letter from Dave Aufmuth in support of Lakeland School was referred to Children with Disabilities Education Board.
  - Memorandum from Clerk Bushey regarding County Board E-mail Box was placed on file.
  - Communication from Wisconsin Counties Association regarding 2006 WCA District Meetings was placed on file.
  - Green Lake County Resolution No. 12-2006 – Requesting Governor and State Legislators Enact Legislation to Re-Emphasize the Transportation User Fee Concept Thus Segregating Fuel Tax Revenues and Vehicle Registration Fees Specifically for the Transportation Fund was previously referred to committee and was placed on file.

- Wisconsin Counties Association *The Legislative Review*, March 22, 2006 was placed on file.
  - Walworth County *Senior Review*, April 2006, from the Walworth County Department of Health & Human Services was placed on file.
17. Report of County Clerk Concerning Zoning Petitions was referred to the County Zoning Agency. This list was in the agenda packet and is as follows:
- Potter's Self Storage, LLC, Leo C. Potter, Rep. (Warren E. Hansen, App.), Town of Bloomfield, .98 acres A-1 to R-1, 5.45 acres A-1 to B-4
  - Duane and Linda Newman, Town of Lafayette, .28 acres A-4 to A-1, .11 acres A-1 to A-4
  - Vance Mather (Chapman Holdings, LLC, App.), Town of Delavan, A-1 to A-4
  - Daniel E. McLean (Peter S. Gordon, App.), Town of Bloomfield, A-2 to C-2
  - Theresa Hoekstra (Michael and Linda Hoekstra, App.), Town of Darien, A-1, M-3, & C-2 to A-1 & C-2
  - Jerald W. Smith and Eleanor B. Smith Revocable Trust dated 7-03-2001 (David R. and JoAnne Anderson, App.), Town of Darien, A-2 to A-5
  - Susie F. Zeiser, Town of Delavan. C-2 to R-2
  - Steven A. Schultz (Atty. Ken Conell, App.), Town of Geneva, C-3 to A-4
  - Michael and Anita Schumacher, Town of Lafayette, R-1 to A-2
  - D & H Investments, Inc., Town of Richmond, A-1 to A-5
  - Floyd Slater, Town of Sugar Creek, A-1 to C-2 & C-1
  - Lawrence and Patricia Redlin, Town of Troy, A-1 to A-5
  - Kocourek Property Holdings, LLC (Kathleen Kocourek, App.), Town of Walworth, B-1 to A-1
  - Ordinance Amendment to Walworth County Code of Ordinances, Sec. 74-71.1 (Zoning) and Sec. 74-199 (Shoreland)
  - Ordinance Amendment to Walworth County Code of Ordinances, Sec. 58-1, 1.1, 3.2, 3.5, 4.2, 5.2, and 5.4 (Subdivision)

### **Unfinished Business**

1. Resolution No. 83-02/06 – Endorsing Remodeling and New Construction Options for the Lakeland School (Tabled at the March 14, 2006 County Board Meeting to be considered at the April 20, 2006 meeting)
2. Resolution No. 84-02/06 – Authorizing the Issuance of General Obligation Bonds or Promissory Notes for Construction and Equipping of an Addition to and Remodeling of Lakeland School (Tabled at the March 14, 2006 County Board Meeting to be considered at the April 20, 2006 meeting)

The agenda was amended earlier for consideration of Item 2, Resolution No. 84-02/06. Supervisor Schaefer offered a motion to approve Resolution No. 84-02/06, seconded by Supervisor Polyock. Supervisor Weber offered a motion to amend Resolution No. 84-02/06 to approve a \$22,000,000 bond issue, seconded by Supervisor Guido. Discussion ensued. Bretl said that this motion simply amends the amount from \$19,000,000 to \$22,000,000. Bretl said that after the amendments, the resolution would still need a  $\frac{3}{4}$  vote to approve the whole thing.

On motion by Supervisor Van Dreser, seconded by Supervisor Hilbelink, the question was called regarding Supervisor Weber's amendment. A roll call vote was held on the amendment to change the quantity of dollars to \$22,000,000. Total vote: 25; Ayes: 21 – Burwell, Downing, Guido, Hawkins, Hilbelink, Ingersoll, Ketchpaw, Kilkenny, Kuhnke, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Schaefer, Van Dreser, Wagie-Troemel, Weber – Noes: 3 – Arnold, Stacey, Lohrmann; Absent: 1 – Grant.

At this time Chair Lohrmann invited the public to speak regarding the Lakeland School.

Michele Teale, 436 Waubon Drive, Elkhorn, spoke in favor of Lakeland School and said she believes her daughter should be in Lakeland School and not in a public school.

Jon Seuser, 312 W. Walworth Street, Elkhorn, said he is a teacher at Delavan-Darien High School and teaches Special Ed/Learning Disabilities. Mr. Seuser said he believes in Lakeland School and what it does and he believes in what they do in the Districts. Mr. Seuser said what we have in Walworth County does work. He said that if the financial burden is thrown back to the taxpayers in the District, with the District teachers being hired through Lakeland School, he would like to see what the dollar figures will be in the individual Districts. Mr. Seuser said again that he supports Lakeland School and the \$22,000,000.

Barbara McComb, W9230 State Hwy 59, Whitewater, thanked the Supervisors for taking the time to tour the facility. She has an 18-year-old son who has been with Lakeland School for 17 years. She said she has been volunteering at Lakeland School for the past four years. She thanked Supervisor Weber for taking the time to tour the facility and for his support. She said there is a fund-raiser for Lakeland School on Sunday, April 23, beginning at 7:30 a.m. with a Lions Club pancake breakfast supported by Friends of Lakeland School.

Ethlyn Graves, 2325 Prairie Drive, Delavan, said her granddaughter just graduated from Lakeland School last year. She is doing well out in the world and she thinks Lakeland School deserves the credit for that. She thinks we should give all the students that need Lakeland School a new school.

Paul and Tammy Jones, 11B Spencer Street, Elkhorn, completed a public comment card but were not present to speak.

Gregory L. Stein, N9149 E. Shore Road, East Troy, addressed the economic ramifications of Resolution No. 84-02/06. Mr. Stein thinks we owe it to the county population to make decisions of this magnitude based on a referendum. He believes if this is pushed through without educating the community and allowing the citizens to vote, there will be fallout.

George Kirsten, W595 Breeze Drive, East Troy, would also like to have a referendum in order for the people to decide.

Carole Springsteen, W858 Shorewood Drive, East Troy, said that she wants to know what impact this will have on the taxes in the County. She agrees a referendum is in order to give everyone in the county a chance to vote on it.

Judy Springsteen, N9067 E. Miramar Drive, East Troy, said that she thinks the Board is putting the cart before the horse without giving the citizens all the facts. She said that she would like to know the impact on taxes if a new school is built. She also said she would like the school issue to be put before a county-wide referendum.

Michael Waedekin, N8067 Kadad Lane, East Troy, said he would like to have a referendum so the people can decide on the school issue. He said that when the amount of the building is \$22,000,000 and affecting our taxes, we should be able to vote on it.

Chris Nelson, N8651 Wilmers Landing, East Troy, said his sister has two children with special needs and they both attend a special needs school. Mr. Nelson said he tried to find more information regarding the new school but could not find anything. He said the public needs more information so they can decide and maybe that means a referendum.

Gary Buchek, N8997 E. Miramar Drive, East Troy, said he has been a special ed educator for 20 years and has been a member of the East Troy Lions Club for six years. Mr. Buchek has questions about the size of the new school and if it will be big enough to accommodate all the students in future years. Mr. Buchek said he would like the Board to look at other alternatives to integrate students into school districts.

James MacDonald, N8900 Thiede Road, Elkhorn, said he thinks this decision should go to a referendum. This is a non-mandated program and the County should not be going into it without a referendum. Mr. MacDonald said we should move forward on the issue together.

Paul Nelson, W6123 Hazel Ridge, Elkhorn, said he was representing the Taxpayers Alliance and himself. He said that not one person he has talked to wants to eliminate special education in Walworth County but we have to decide on how to fund special education and lessen the impact on the taxpayers of the County. Mr. Nelson said that the Taxpayers Alliance put together a resolution, which he thinks is a good compromise, to put the funding of special education teachers onto the school districts and to rebuild a new school on the same site with the County funding it for a certain number of years.

Yasmin Schuardt, 428 W. Geneva, Elkhorn, said that we should not cut corners for education but we should be looking for the best value for our dollars. Ms. Schuardt asked the Board to decide wisely for the taxpayers of Walworth County.

Jill Pederson, 1816 Thomas Drive, East Troy, was speaking on behalf of her son who is autistic. She said her son was at Lakeland School, then in a traditional school in East Troy, and is now back at Lakeland School. Her son was not able to be in a regular classroom as he was too disruptive so he was secluded in a classroom in the traditional school. Ms. Pederson said she does not want her son to be exposed to remodeling for three years as it is too disruptive and she does not want to see inclusion brought back. Ms. Pederson said she would like to see a new school built and she is not against a referendum but she thinks it is too late for that.

Margaret Bong, N7231 Bowers Road, Town of Lafayette, said she has a son who attends Lakeland School. She said she believes that running Lakeland School as a County special education program benefits the communities in Walworth County not only because it is the most cost efficient way to run the program but because of the school's involvement in the community, and because it also happens to provide the absolute best education for these children. Ms. Bong said sending children to this school is a parent's choice but wherever they attend, the children must be educated. The school is falling apart and she is in favor of a new building, as it is the least disruptive for the students. The taxes will go up less if the County remains in control of the Special Education program because this is the most cost effective way to run the program. Ms. Bong said she does not believe there is a need for a referendum.

Ken Micheloni, N8457 Hwy 12 West, he said that he helped get the school started in Walworth County. Mr. Micheloni said that we now need a new school and it won't cost a lot if we get it done right.

Supervisor Stacey offered a motion, seconded by Supervisor Kuhnke, to hold Resolution No. 84-02/06 and take the issue to the voters in the form of an advisory referendum. Supervisor Ketchpaw offered a motion, seconded by Supervisor Stacey, to amend the motion for a referendum to add that a committee be formed to develop the referendum questions and that a minimum of five citizens be selected for that committee to work with staff. On motion by Supervisor Guido, seconded by Supervisor Van Dreser, the question was called to vote on Supervisor Ketchpaw's amendment. On motion by Supervisor Polyock, seconded by Supervisor Hilbelink, the question was called by unanimous consent. The voice vote on Supervisor Ketchpaw's amendment failed.

On motion by Supervisor Van Dreser, seconded by Supervisor Polyock, the question was called and a roll call vote was held on Supervisor Stacey's motion to hold Resolution No. 84-02/06 until the school issue can be taken to the voters in the form of an advisory referendum. Total vote: 25; Ayes: 9 – Arnold, Ketchpaw, Kuhnke, Lein, Lightfield, Muzatko, Russell, Stacey, Lohrmann; Noes: 15 – Burwell, Downing, Guido, Hawkins, Hilbelink, Ingersoll, Kilkenny, Kupsik, Morrison, Parker, Polyock, Schaefer, Van Dreser, Wagie-Troemel, Weber; Absent: 1 – Grant. Roll call vote failed.

Supervisor Arnold offered a motion, seconded by Supervisor Stacey, to postpone the vote on the bonding question for Lakeland School until the Special Meeting on April 27. Since at least three Supervisors will not be in attendance at the Special Meeting on April 27, Supervisor Arnold amended his motion to postpone the bonding question until the May County Board meeting, seconded by Supervisor Stacey. A roll call vote was held. Total vote: 25; Ayes: 6 – Arnold, Ingersoll, Kuhnke, Muzatko, Stacey, Lohrmann; Noes: 18 – Burwell, Downing, Guido, Hawkins, Hilbelink, Ketchpaw, Kilkenny, Kupsik, Lein, Lightfield, Morrison, Parker, Polyock, Russell, Schaefer, Van Dreser, Wagie-Troemel, Weber; Absent: 1 – Grant. The roll call vote failed.

Supervisor Russell distributed an amendment to Resolution No. 84-02/06. Supervisor Russell offered a motion, seconded by Supervisor Morrison, to amend the resolution starting on Line 17 as follows:

**“BE IT FURTHER RESOLVED THAT** the authority to issue bonds is subject to the following:

1. As of the effective date of this ordinance, school districts shall be responsible for hiring all new staff that is required to maintain and operate special education programs in their districts. The County shall reimburse the district 100% of the cost of salary and benefits of these positions for the 2006-2007 school year.
2. The County Administrator, CDEB Administrator, Deputy County Administrator – Finance and CDEB Chairperson shall meet with representatives of the school districts for the purpose of determining the manner in which the districts and the County will accomplish the following goals, which goals the County Board hereby adopts:
  - a. The CDEB will be responsible for providing educational services, at the Lakeland School, for children with low-incidence and high-cost disabilities, early childhood through age 21.
  - b. The CDEB will be responsible for providing integrated services for children with low-incidence and high-cost disabilities through the eighth grade at locations within the County to be determined by the CDEB.

3. The plan developed as a result of the meeting set forth in paragraph 2 shall be presented to the County Board for review and action no later than 6 months from the date of the adoption of this ordinance.
4. Condition 1 shall be satisfied upon certification by the County Administrator that an ordinance has been adopted that effectuates the purpose set forth in paragraph 1 and upon filing said certification with the clerk, the condition shall be waived.
5. Condition 2 shall be waived upon adoption by the Board of a resolution approving the plan set forth therein.
6. All conditions shall be subject to review and approval of bond counsel.”

The Board took a ten-minute break at 8:00 p.m.

The Board reconvened at 8:10 p.m. Chair Lohrmann opened discussion on Supervisor Russell’s amendment. Tracy Moate, Director of Lakeland School, addressed the Board to explain how the teacher’s salaries are addressed.

Chairperson Lohrmann asked Vice-Chair Stacey to take the Chair. Supervisor Lohrmann said she is a proponent of keeping the school in town but we have people at the other extreme that want to build a new school. Lohrmann said that we are at a point that regardless of what we do we will have a very large budget increase. She said we have not only the Lakeland School but other mandated programs that are also increasing. We need to be very fiscally responsible. Lohrmann said she believes that Supervisor Russell’s amendment is a good compromise. Lohrmann returned to the Chair.

Tracy Moate addressed the Board. Moate said she thinks this proposed model is very similar to the Brown County model and has worked very effectively. She said that for school districts it is essential that there is a plan that is put into place that is a transition plan that allows for time to absorb these costs. Moate said that it is a cost shift but she does not know if it is going to cost the school district more. She said that she thinks the advisory group proposed by Supervisor Russell has to include the school district and possibly the Department of Public Instruction to help with the transition and school finances. Moate said that her biggest concern is the consideration of the kids; and, however the plan evolves, it must be handled in a way that will not impact the kids or disrupt them in any way.

Supervisor Polyock asked what effect this amendment would have on the bond. Bretl said that an additional amendment to advance funds from the general fund for the planning stages would be needed. Bretl also said that bond counsel will let us know if this will satisfy the requirements for a bond. Supervisor Weber offered a motion, seconded by Supervisor Polyock, to amend Russell’s amendment, by adding item 7, stating that “funds from the General Fund will be used for planning stages.” A voice vote was taken and the motion carried with Supervisor Arnold requesting that his vote be recorded as No. On motion by Supervisor Burwell, seconded by Supervisor Parker, Supervisor Russell’s amendment was amended to include the “Department of Public Instruction” in item 2 immediately after “representatives of the school districts.” On motion by Supervisor Kilkenny, seconded by Supervisor Weber, the following amendment was added to item 3 on Supervisor Russell’s amendment: “This Plan will require a majority vote of County Board.” A vote was taken and Supervisor Russell’s original amendment, as amended three times, was approved. Supervisors Arnold, Hilbelink, and Parker requested that their votes be recorded as No.

Discussion ensued on the original motion to approve Resolution No. 84-02/06 as amended.

On motion by Supervisor Van Dreser, seconded by Supervisor Hilbelink, the question was called.

On motion by Supervisor Polyock, seconded by Supervisor Schaefer, Resolution No. 84-02/06 was amended by deleting “an addition to and the remodeling of Lakeland School” lines 13 and 14 and adding “a new school at a new site.” Supervisor Arnold requested that his vote be recorded as No.

A roll call vote was held to approve Resolution No. 84-02/06 as amended. The resolution required a  $\frac{3}{4}$  vote to pass. The amendments include changing the amount from \$19 million to \$22 million on lines 5 and 12, all of Supervisor Russell’s amendment with the following amendments: advance funds from the general fund for planning stages, the addition of DPI in paragraph 2, and 2 a. and 2 b. will require a majority vote of the County Board; and a new school at a new site. Total votes: 25; Ayes: 20 – Burwell, Downing, Guido, Hawkins, Hilbelink, Ingersoll, Ketchpaw, Kilkenny, Kupsik, Lein, Lightfield, Morrison, Parker, Polyock, Russell, Schaefer, Van Dreser, Wagie-Troemel, Weber, Lohrmann; Noes: 4 – Arnold, Kuhnke, Muzatko, Stacey; Absent: 1 – Grant. **Resolution No. 84-02/06** was approved as amended.

A motion was offered by Supervisor Van Dreser, seconded by Supervisor Parker, to approve Resolution No. 83-02/06 – Endorsing Remodeling and New Construction Options for the Lakeland School. On motion by Supervisor Polyock, seconded by Supervisor Kupsik, the resolution was amended as follows: line 12, delete “remodeling the current Lakeland School or”; line 13, delete “to be determined on the former county farm”; and on line 13, add “on the South side of County Hwy NN, Town of Geneva.” Supervisor Arnold requested that his vote be recorded as No. **Resolution No. 83-02/06** was approved as amended by voice vote.

## **New Business**

### **Reports of Standing Committees**

#### **County Zoning Agency Report of Proposed Zoning Amendments**

1. Ordinance No. 353-04/06 – Amending Sections 74-38, 74-51, 74-54, 74-61, 74-92, 74-163, 74-178, 74-181, 74-188, and 74-221 of the Walworth County Code of Ordinances Relating to Zoning and Shoreland Zoning (Recommended by the County Zoning Agency 6-0) Amendment to Walworth County Code of Ordinances, Sections 74-38, 74-51, 74-54, 74-61, 74-92 of the Zoning Ordinance and Sections 74-163, 74-178, 74-181, 74-188, 74-221 of the Shoreland Zoning Ordinance – approved 6 – 0 *after removing Sections 74-71.1 and 74-199 (3) and (4)* – 2-16-06 public hearing
2. Mann Ventures, LLC, Town of Sugar Creek, Rezone 28 acres of R-1 & B-5 to R-5 – approved 7 – 0 (1-19-06 public hearing)
3. Daniel and Claudia Holst, Town of Whitewater, Rezone 8.4 acres of A-1 to B-4 – approved 7 – 0 (3-16-06 public hearing)
4. Adil N. Dzabiroski, Town of Geneva, Rezone 5 acres of A-1 to R-4 – approved 7 – 0 (3-16-06 public hearing)
5. Alvin Olsen (Gunnar Olsen, App.), Town of Walworth, Rezone 3.46 acres of A-1 to A-4 – approved 7 – 0 (3-16-06 public hearing)

6. Delavan Land Company, LLC (Dave Patzelt, App.), Town of Delavan, Rezone 10.47 acres of R-2 to C-2 – approved 7 – 0 (3-16-06 public hearing)
7. Harold Leasure (Jim Kreuter, East Troy Enterprise, LLC, App.), Town of East Troy, Rezone 84.57 acres of A-1, M-3 & A-5 to R-1 & C-1 – approved 5 – 2 (3-16-06 public hearing)
8. Town of East Troy c/o Victor Kranitz, Town of East Troy, Rezone 8.82 acres of C-2 to P-1 – approved 7 – 0 (3-16-06 public hearing)

Supervisor Schaefer was excused and left the meeting at 9:23 p.m.

Supervisor Kupsik offered a motion, seconded by Supervisor Downing, to approve the Report of the County Zoning Agency. Supervisor Ketchpaw asked that item 7 be removed from the vote. Items 1 through 6 and 8 were approved by voice vote. On motion by Supervisor Ketchpaw, seconded by Supervisor Downing, item 7, Harold Leasure (Jim Kreuter, East Troy Enterprise, LLC, App.), Town of East Troy, was sent back to committee because of new information.

### **Executive Committee**

1. Approval of 2006-2007 County Board Meeting Schedule (Recommended by the Executive Committee 6-0)
2. Ordinance No. 355-04/06 - Amending Chapter 2 of the Walworth County Code of Ordinances Pertaining to Public Comment at County Board and Committee Meetings (Recommended by the Executive Committee 6-0)
3. Ordinance No. 356-04/06 - Amending Chapter 2 of the Walworth County Code of Ordinances Pertaining to Guidelines for Citizens Serving on County Committees (Recommended by the Executive Committee 6-0)
4. Resolution No. 01-04/06 – Denying the Claim of Sandra E. Bauer (Recommended by the Executive Committee 7-0)

On motion by Supervisor Muzatko, seconded by Supervisor Morrison, item 1 and item 4, **Resolution No. 01-04/06** were approved.

Supervisor Parker offer a motion, seconded by Supervisor Kupsik, to approve item 2, Ordinance No. 355-04/06. Supervisor Van Dreser offered a motion, seconded by Supervisor Hilbelink, for unanimous consent. Supervisor Guido voted No. A roll call vote was held. Total vote: 25; Ayes: 22 – Arnold, Burwell, Downing, Hawkins, Hilbelink, Ingersoll, Ketchpaw, Kilkenny, Kuhnke, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Polyock, Russell, Stacey, Van Dreser, Wagie-Troemel, Weber, Lohrmann; Noes: 1 – Guido; Absent: 2 – Grant and Schaefer. **Ordinance No. 355-04/06** was approved.

Supervisor Stacey offered a motion, seconded by Supervisor Morrison, to approve item 3, Ordinance No. 356-04/06. On motion by Supervisor Van Dreser, seconded by Supervisor Wagie-Troemel, **Ordinance No. 356-04/06** was approved by unanimous consent.

### **Finance Committee**

1. Ordinance No. 351-04/06 – Amending Section 30-286 of the Walworth County Code of Ordinances Relative to Fees (Recommended by the Finance Committee 7-0 and the Agriculture and Extension Education Committee 6-0)

2. Resolution No. 02-04/06 – Authorizing a Transfer of \$1,715 from the 2006 Contingency Fund to the Appropriate Account for the Purpose of Paying Costs Associated with Lakeland Animal Welfare Society, Inc. Services (Recommended by the Finance Committee 7-0)
3. Resolution No. 03-04/06 – Closing Fiscal Year 2005 (Recommended by the Finance Committee 7-0)
4. Resolution No. 04-04/06 – Authorizing List of Financial Depositories and Investment Firms for County Funds (Recommended by the Finance Committee 7-0)

On motion by Supervisor Stacey, seconded by Supervisor Kupsik, item 1, **Ordinance No. 351-04/06**, and item 4, **Resolution No. 04-04/06** were approved by voice vote.

Supervisor Kupsik offered a motion, seconded by Supervisor Russell, to approve Resolution No. 02-04/06. Discussion ensued. On motion by Supervisor Van Dreser, seconded by Supervisor Hilbelink, **Resolution No. 02-04/06** was approved by unanimous consent.

Supervisor Kuhnke offered a motion, seconded by Supervisor Kupsik, to approve Resolution 03-04/06. On motion by Supervisor Van Dreser, seconded by Supervisor Stacey, **Resolution 03-04/06** was approved by unanimous consent.

### **Human Resources Committee**

1. Ordinance No. 354-04/06 – Amending Chapter 15 of the Walworth County Code of Ordinances Relating to Outside Employment (Recommended by the Human Resources Committee 5-0)
2. Ordinance No. 357-04/06 – Amending Section 15-17 of the Walworth County Code of Ordinances Pertaining to the Reorganization of Administration, Human Resources and Public Works (Recommended by the Human Resources Committee 5-0)
3. Ordinance No. 358-04/06 – Amending Section 15-740 of the Walworth County Code of Ordinances Pertaining to Rights and Benefits During Military Leave (Recommended by the Human Resources Committee 5-0)
4. Ordinance No. 359-04/06 – Amending Section 15-17 of the Walworth County Code of Ordinances Pertaining to Authorized Positions by Department (Recommended by the Human Resources Committee 5-0)
5. Ordinance No. 360-04/06 – Amending Chapter 15 of the Walworth County Code of Ordinances Relative to Compensation Practices for Non-Represented Positions (Recommended by the Human Resources Committee 5-0)
6. Resolution No. 05-04/06 – Fixing the Annual Salary for the Family Court Commissioner (Recommended by the Human Resources Committee 5-0)
7. Resolution No. 06-04/06 – Setting Salaries for Register of Deeds, County Treasurer and County Clerk for 2007-2008 (Recommended by the Human Resources Committee 5-0)
8. Resolution No. 07-04/06 – Setting Salaries for Clerk of Courts, Sheriff and Coroner for 2007-2010 (The Human Resources Committee recommended salaries for Clerk of Courts and Sheriff with a 5-0 vote. The Coroner's salary will be considered by the Human Resources Committee at a special meeting on April 18, 2006.)
9. Resolution No. 09-04/06 - Implementing Changes in Wages and Benefits for Lakeland School Employees in the MT Pay Plan and Authorizing the Transfer of Funds from the Contingency Fund (Recommended by the Human Resources Committee 5-0 and the Finance Committee 5-0)

On motion by Supervisor Downing, seconded by Supervisor Wagie-Troemel, item 1, **Ordinance No. 354-04/06**, item 4, **Ordinance No. 359-04/06**, item 5, **Ordinance No. 360-04/06**, item 6, **Resolution No. 05-04/06**, item 7, **Resolution No. 06-04/06** were approved by voice vote.

Supervisor Muzatko offer a motion, seconded by Supervisor Burwell, to approve item 2, Ordinance No. 357-04/06. Supervisor Ketchpaw offered a motion, seconded by Supervisor Russell, to amend the ordinance by approving line 26 and sending the remainder of the ordinance back to the newly reformed Human Resources Committee.

County Administrator Bretl explained the changes as shown in a handout distributed to Supervisors. Supervisor Ketchpaw's amendment failed by voice vote.

A motion was offered by Supervisor Burwell, seconded by Supervisor Downing, to amend item 2, Ordinance No. 357-04/06, page 1, line 22, line 23, and line 24 as follows: "with respect to the following positions, Human Resource Assistant, Human Resource Coordinator, and Human Resource Manager, pay shall be retroactive to January 20, 2006." The amendment was approved by voice vote. **Ordinance No. 357-04/06** was approved as amended by voice vote. Supervisor Ketchpaw requested that her vote be recorded as No.

Supervisor Morrison offered a motion, seconded by Supervisor Muzatko, to approve item 3, Ordinance No. 358-04/06. Discussion ensued. **Ordinance No. 358-04/06** was approved by voice vote.

Supervisor Wagie-Troemel offered a motion, seconded by Supervisor Kupsik, to approve item 8, Resolution No. 07-04/06. On motion by Supervisor Burwell, seconded by Supervisor Downing, the resolution was amended to provide a 5% pay raise for position of Coroner with the first 5 % raise occurring on the first Monday of January of 2007 and a 5% raise occurring in each subsequent year for the duration of the four-year term. **Resolution No. 07-04/06** was approved as amended by voice vote.

Supervisor Wagie-Troemel offered a motion, seconded by Supervisor Russell, to approve item 9, Resolution No. 09-04/06. On motion by Supervisor Russell, seconded by Supervisor Stacy, the resolution was amended as follows: page 1, lines 7 and 8 to read as follows: cross out September 1, 2006 and insert "the pay period ending August 26, 2006", and on Page 121 of the packet, Policy & Fiscal Note, revise Section 3, changing the amount from \$27,789 to "\$10,278.00 to come out of the contingency fund." **Resolution No. 09-04/06** was approved as amended.

### **Closed Session**

The County Board may convene in closed session pursuant to the exemption contained in section 19.85 (1) (e) of the Wisconsin Statutes, for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified business, whenever competitive or bargaining reasons require a closed session.

- Motion and roll call to convene in closed session to discuss Children with Disabilities Education Board bargaining negotiations
- Reconvene in open session

A motion was offered by Supervisor Russell, seconded by Supervisor Kupsik, to convene in closed session. Ayes: 22 – Arnold, Burwell, Downing, Guido, Hawkins, Hilbelink, Ingersoll, Ketchpaw, Kilkenny, Kuhnke, Kupsik, Lein, Lightfield, Morrison, Muzatko, Parker, Russell, Stacey, Van Dreser, Wagie-Troemel, Weber, Lohrmann; Noes: 1 – Polyock; Absent: 2 – Grant, Schaefer.

A motion was made and seconded for the Board to convene in open session.

### **Public Works Committee**

1. Ordinance No. 352-04/06 – Amending Chapter 66 of the Walworth County Code of Ordinances Relating to Certain Traffic Restrictions (Recommended by the Public Works Committee 6-0)

On motion by Supervisor Hilbelink, seconded by Supervisor Van Dreser, **Ordinance No. 352-04/06** was approved by voice vote.

### **Reports of Special Committees**

1. Resolution No. 08-04/06 – Nominating Members to the Various Committees of the County Board (The Nominating Committee met and made recommendations on April 19, 2006 and a final resolution was forwarded to the Board via courier.)
2. Elections of committee members for Lakeland Health Care Center Board of Trustees and Children with Disabilities Education Board (The Nominating Committee met and made recommendations on April 19, 2006 and a final resolution was forwarded to the Board via courier.)

Supervisor Stacey offered a motion, seconded by Supervisor Downing, to approve item 1, Resolution No. 08-04/06. On motion by Supervisor Stacey, seconded by Supervisor Weber, to amend the resolution as follows: Supervisor Stanley Muzatko was moved from the Children with Disabilities Education Board to the Lakeland Health Care Center Board and Supervisor Dorothy Burwell was moved from the ~~Human Resources Committee~~ Lakeland Health Care Center to the Children with Disabilities Education Board. Discussion ensued. **Resolution No. 08-04/06** was approved as amended by voice vote. Supervisor Guido requested that his vote be recorded as No.

Chair Lohrmann opened the floor for nominations for the Lakeland Health Care Center Board of Trustees and Children with Disabilities Education Board. On motion by Supervisor Downing, seconded by Supervisor Kupsik, Supervisors Ingersoll, Guido, Muzatko, and Morrison were nominated and elected as Trustees for the Lakeland Health Care Center Board. Supervisor Guido voted No.

On motion by Supervisor Downing, seconded by Supervisor Stacey, Supervisors Hilbelink, Burwell, Kilkenny, and Lightfield were nominated and elected to the Children with Disabilities Education Board. On motion by Supervisor Downing, seconded by Supervisor Stacey, Supervisor Arnold was nominated and elected to the Lakeland Health Care Center Board of Trustees. Supervisor Polyock voted No.

### **Chairperson's Report**

Chair Lohrmann reported that the Board received a beautiful plaque in recognition of Walworth County being Capital for a Day and a check for reimbursement for White River Trail expenses from the State of Wisconsin.

Chair Lohrmann said that a petition was being circulated for a Special County Board Meeting to set the parameters of the 2007 budget.

Administrator Bretl said that he is starting his fifth year with Walworth County. He said that during this time the Board has tackled some insurmountable issues, which included the Courthouse, the nursing home, and the school, and although there is still work to do regarding the school, he said he has appreciated the time put in not only by the continuing Supervisors but also the new Supervisors to educate themselves regarding the school issue.

### **Adjournment**

On motion by Supervisor Morrison, seconded by Supervisor Arnold, the meeting was adjourned at 10:32 p.m.

Kimberly S. Bushey  
County Clerk

STATE OF WISCONSIN     )  
  )SS  
COUNTY OF WALWORTH)

I, Kimberly S. Bushey, County Clerk in and for the County aforesaid, do hereby certify that the foregoing is a true and correct copy of the proceedings of the County Board of Supervisors for the April 20, 2006 meeting.

(These minutes are not final until approved by the County Board at the next regularly scheduled County Board meeting.)